



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS TX 75202-2733

- 1 NOV 2017

**GENERAL NOTICE LETTER/104(e) REQUEST**  
**URGENT LEGAL MATTER, PROMPT REPLY NECESSARY**  
**CERTIFIED MAIL, RETURN RECEIPT REQUESTED #7014 0150 0000 2454 1042**

BP America Inc.  
C T Corporation System  
Registered Agent  
1999 Bryan St., Ste. 900  
Dallas, TX 75201

Re: Star Lake Canal Superfund Site located in and around the cities of Port Neches and Groves, Jefferson County, Texas; General Notice Letter and CERCLIS #: TX0001414341; Information Request Pursuant to CERCLA Section 104(e), 42 U.S.C. §9604(e), Information Request

Dear Sir or Madam:

The purpose of this letter is threefold. The first purpose is to notify BP America Inc., (hereinafter BP America Inc., is referred to as "Respondent," "you" or "your") of its potential liability at the Star Lake Canal Superfund Site (Site) located in and around the cities of Port Neches and Groves, Jefferson County, Texas. The second purpose of this letter is to inform you of an existing group of potentially responsible parties (PRPs) that have entered into a settlement agreement with the U.S. Environmental Protection Agency (EPA) to develop a detailed plan for implementation of the Remedial Action selected in EPA's September 30, 2013, Record of Decision (ROD). The third purpose of this letter is to seek your cooperation in providing information and documents relating to the contamination of the Site. (Enclosure 1) Our records indicate that hazardous substances originating from Respondent's property in Jefferson County, Texas may have been released onto the Molasses Bayou Wetland and/or the Molasses Bayou Waterway in Jefferson County, Texas. The Molasses Bayou Wetland and the Molasses Bayou Waterway are two areas of interest (AOI) both being parts of the Site. (Enclosure 2)

**BACKGROUND INFORMATION**

Star Lake Canal Superfund Site (Site) is located in and around the cities of Port Neches and Groves, Jefferson County, Texas (Map & Aerial Photo, Enclosure 3). The Site includes two industrial canals (Star Lake Canal and Jefferson Canal) and an adjacent wetland area (Molasses Bayou).

The Site is comprised of seven areas of interest (AOI) within or abutting the lengths of two industrial canals from their origins to the confluence of Star Lake Canal with the Neches River and the adjacent wetland area: The Star Lake Canal AOI, the Jefferson Canal AOI, the former Star Lake AOI, the Jefferson Canal Spoil Pile AOI, the Gulf States Utility Canal AOI, the Molasses Bayou Waterway AOI, and the Molasses Bayou Wetland AOI.

The straight-line distance along Star Lake Canal from its origin east of the intersection of Highway 136 and FM 366 to its confluence with the Neches River is approximately 16,500 feet. The straight line distance along Jefferson Canal from its origin on the east side of Hogaboom Road south of FM 366 to its confluence with Star Lake Canal north of the Hurricane Protection Levee is approximately 4,000 feet. The Molasses Bayou, which is part of the Site, is located southeast of the Star Lake Canal and intersects the canal in two locations. The Gulf States Utility Canal, also part of the Site, is a canal that resulted during the placement of a buried utility line and is located parallel to and approximately 100-200 feet northwest of the Star Lake Canal. The Gulf States Utility Canal extends from the Neches River to a point approximately 500 feet downstream from Sara Jane Road.

A large portion of the Star Lake Canal Site and watershed is dominated by commercial and industrial land use. Industrial operations have occurred in the area surrounding the Site since the early 1940s, and continue to the present date. In 1942, the United States, through predecessors of the Settling Federal Agency, contracted for the construction of synthetic rubber production facilities on land adjacent to and incorporating portions of the Site (the "rubber plants"). Operation of those plants continues to present day, although the products produced by the facilities have changed. There are many other historic and current industrial and chemical manufacturing activities from other plants that led to the deposition of hazardous substances at the Site. Additionally, there is a significant number of underground oil and gas pipelines (owned and operated by a variety of companies) that cross the Site in multiple locations.

Of the 800 acres the United States purchased for the construction and operation of the rubber plants, 77 were used to construct the Star Lake Canal, through which wastewater, cooling water, and sewage from the rubber plants and the other industrial complexes in the area were disposed. Similarly, the Jefferson Canal was constructed in the 1940s to receive wastewater, cooling water, and sewage from neighboring facilities. A number of chemicals at the Site were deposited at the Site due to unpermitted discharges from the facilities that have occurred throughout the years.

Hazardous substances and their constituents were discharged to surface water and sediments in both the Jefferson Canal and the Star Lake Canal by the neighboring industrial facilities. Subsequently, the hazardous substances migrated to other areas and environmental media within the Site. The various transport mechanisms have included sediment re-suspension, surface water transport, dredging of sediment, and erosion of sediment spoil piles.

Texas Water Quality Board (TWQB), now Texas Commission on Environmental Quality (TCEQ), first conducted investigations at the Site during the 1970s. Those investigations focused on pentachlorophenol and toxaphene constituents in the Jefferson Canal sediment. In 1983, sediments impacted with toxaphene were identified that may have been dredged from the canal and placed on its banks. In 1983, an analytical report from a single sample of disposed dredged material revealed concentrations above the laboratory detection limits of toxaphene, acenaphthene, acenaphthylene, anthracene, benzo(a)anthracene, benzo(p)pyrene, benzo(b)fluoranthene, chrysene, fluoranthene, fluorene, naphthalene, phenanthrene, pyrene, and biphenyls.

In the early 1980's to the late 1990's, the Texas Department of Water Resources ("TDWR") and the Texas Natural Resources Conservation Commission ("TNRCC") now the Texas Commission on Environmental Quality ("TCEQ") conducted additional site inspections on behalf of EPA Region 6, such as the 1997 Screening Site Inspection ("SSI") which confirmed levels above the laboratory detection limit were detected in samples collected from the Jefferson and Star Lake Canals:

acenaphthene, acenaphthylene, anthracene, arsenic, barium, benzo(b)fluoranthene, benzo(k)fluoranthene, cyanide, fluoranthene, fluorene, mercury, 2-methylnaphthalene, naphthalene, aroclor-1254 (a polychlorinated biphenyl ("PCB")), phenanthrene, pyrene, and thallium. The January 1999, Expanded Site Inspection ("ESI") included other constituents not listed in the 1997 SSI report: acetone, aldrin, benzene, benzo(g,h,i)pyrene, chromium, copper, 4,4'-DDD, endosulfan I, ethyl benzene, heptachlor epoxide, indeno(1,2,3-cd)pyrene, selenium, silver, styrene, toluene, and total xylenes. The Site was listed on the National Priorities List (NPL) on July 27, 2000.

On December 22, 2005, two of the PRPs (Chevron Environmental Management Corporation (on behalf of Texaco Inc.) and Huntsman Petrochemical Corp. (a predecessor of Huntsman Petrochemical LLC)) entered into an Administrative Settlement Agreement on Consent for the Remedial Investigation and Feasibility Study ("RI/FS"). The final RI Report was submitted to EPA in July 2011 and the final FS Report was submitted to EPA in June 2013. The EPA issued the Record of Decision (ROD) on September 30, 2013.

On September 26, 2016, Bridgestone Americas Tire Operations LLC; Cytec Industries Inc.; Goodrich Corp.; Huntsman Petrochemical LLC; Jefferson County Drainage District No. 7; Michelin North America, Inc.; and Texaco Inc., voluntarily entered into a Settlement Agreement and Administrative Order on Consent ("SAAOC") for Remedial Design (RD) with the EPA to develop a detailed plan for implementation of the Remedial Action selected in the September 2013 ROD.

### **EXPLANATION OF POTENTIAL LIABILITY**

Based on the information collected, the EPA believes that you may be liable under Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) with respect to the Site, as an arranger/generator at the Site. Enclosure 1 is documentation provided to the EPA that indicates you may be liable as one who arranged for disposal of hazardous substances at the Site.

Under CERCLA, specifically Sections 106(a) and 107(a), 42 U.S.C. §§ 9606(a) and 9607(a), potentially responsible parties (PRPs) may be required to perform cleanup actions to protect the public health, welfare, or the environment. PRPs may also be responsible for costs incurred by the EPA in cleaning up the Site, unless the PRP can qualify for any of the statutory defenses. PRPs include current and former owners and operators of a site, as well as persons who arranged for treatment and/or disposal of any hazardous substances found at the site, and persons who accepted hazardous substances for transport and selected the site to which the hazardous substances were delivered.

Site response actions and Site costs may include, but are not limited to, expenditures for conducting a Removal Action, and other investigation, planning, response oversight, and enforcement activities. In addition, PRPs may be required to pay for damages for injury to, destruction of or loss of natural resources, including the cost of assessing such damages.

## RESPONSE TO INFORMATION REQUEST

Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as the federal "Superfund" law, the U.S. Environmental Protection Agency (EPA) responds to the release or threat of release of hazardous substances, pollutants or contaminants into the environment to stop additional contamination and to clean-up or otherwise address any prior contamination.

The EPA is requesting information under CERCLA Section 104(e). Section 104(e) may be found in the United States Code (U.S.C.) at Title 42 Section (section is denoted by the symbol "§") 9604(e), 42 U.S.C. § 9604(e).

Pursuant to the authority of CERCLA Section 104(e), you are hereby requested to respond to the enclosed information request. If you have any questions concerning the Site's history or this information request letter, please contact Mr. Kenneth Talton, the designated Enforcement Officer for the Site, at phone number (214) 665-7475, fax number (214) 665-6660 or via email at [talton.chuck@epa.gov](mailto:talton.chuck@epa.gov). Please mail your response within 30 calendar days of your receipt of this request to the following address:

Mr. Kenneth Talton, Enforcement Officer  
Superfund Enforcement Assessment Section (6SF-TE)  
U.S. EPA, Region 6  
1445 Ross Avenue  
Dallas, TX 75202-2733

If you or your attorney have legal questions that pertain to this information request letter, please contact Mr. Edwin Quinones at phone number (214) 665-8035, fax number (214) 665-6460 or via email at [quinones.edwin@epa.gov](mailto:quinones.edwin@epa.gov). For contact via mail, use the following address:

Mr. Edwin Quinones, Attorney  
Office of Regional Counsel (6RC-S)  
U.S. EPA Region 6  
1445 Ross Avenue  
Dallas, Texas 75202-2733

The EPA would like to encourage communication between you, other PRPs, and EPA regarding response actions at the Site. If you would like to discuss the opportunity to join the SAAOC for the RD mentioned above, please contact Mr. N. Tobias Smith, counsel representing the SAAOC for the RD PRP group, within **30 days** of receipt of this notice letter at the following address:

N. Tobias Smith  
Partner  
Strasburger Attorneys At Law  
901 Main Street, Suite 6000  
Dallas, Texas 75202  
(214) 651-4611  
[tobias.smith@strasburger.com](mailto:tobias.smith@strasburger.com)

We encourage you to give this matter your immediate attention. If you choose not to join the settlement or pursue other options to satisfy your potential liability with the EPA, the EPA will evaluate enforcement options.

Also included in this letter to assist you are: the information concerning your involvement at the Site as Enclosure 2; the map & aerial photo as Enclosure 3; the Small Business Resource Fact Sheet as Enclosure 4; the parties that previously received general and/or special notice as Enclosure 5; and parties receiving this letter as Enclosure 6.

### **FINANCIAL CONCERNS/ABILITY-TO-PAY SETTLEMENTS**

The EPA is aware that the financial ability of some PRPs to contribute toward the payment of response costs at a site may be substantially limited. In accordance with Section 122(g)(7) of CERCLA, 42 U.S.C. § 9622(g)(7), the EPA will review financial information that you submit in order to determine whether you have an inability or a limited ability to pay response costs incurred at the Site. As part of this review, the EPA will take into consideration your overall financial condition and demonstrable constraints on your ability to raise revenue. Based upon the financial information that you may submit, EPA will determine whether it can qualify for a reduction in the settlement amount and/or an alternative payment method within the meaning of Section 122(g)(7) of CERCLA, 42 U.S.C. § 9622(g)(7).

If you believe that you qualify for a reduction in any settlement amount and/or alternative payment amount under the criteria described in the paragraphs above, please contact Mr. Talton, at 214-665-7475 for information on "Ability to Pay Settlements." In response, you will receive a package of information about the potential for such settlements and an information request for your relevant financial information, and you will be asked to submit financial records including business federal income tax returns. If the EPA concludes that you have a legitimate inability to pay the full amount of the response costs, the EPA may offer a schedule for payment over time or a reduction in the total amount demanded from you.

Also, please note that because the EPA has a potential claim against you, if your financial status changes in any significant way, e.g., filing for bankruptcy, you must include the EPA as a creditor. The EPA reserves the right to file a proof of claim or an application for reimbursement of administrative expenses.

### **RESOURCES AND INFORMATION FOR SMALL BUSINESSES**

As you may be aware, on January 11, 2002, President Bush signed into law the Superfund Small Business Liability Relief and Brownfields Revitalization Act. This Act contains several exemptions and defenses to CERCLA liability, which we suggest that all parties evaluate. You may download a copy of the law at <http://www.gpo.gov/fdsys/pkg/PLAW-107publ118/pdf/PLAW-107publ118.pdf> and review the EPA guidance's regarding these exemptions at <http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/>.



The EPA has created a number of helpful resources for small businesses. The EPA has established the National Compliance Assistance Clearinghouse as well as Compliance Assistance Centers which offer various forms of resources to small businesses. You may inquire about these resources at <http://www.epa.gov/compliance/compliance-assistance-centers>. In addition, the EPA Small Business Ombudsman may be contacted at <http://www.epa.gov/resources-small-businesses/forms/contact-us-about-resources-small-businesses>. Finally, the EPA has developed a fact sheet about the Small Business Regulatory Enforcement Fairness Act (SBREFA) and information on resources for small businesses, which is enclosed with this letter as Enclosure 4 and available on the Agency's website at <http://www.epa.gov/compliance/small-business-resources-information-sheet>.

Thank you in advance for your cooperation. We look forward to working closely with you in the future. If you have any questions regarding the notice or any of the documentation included, please contact Mr. Talton at 214-665-7475 or [talton.chuck@epa.gov](mailto:talton.chuck@epa.gov). Questions concerning legal matters should be directed to the EPA site attorney, Mr. Edwin Quinones, at 214-665-8035 or [quinones.edwin@epa.gov](mailto:quinones.edwin@epa.gov). Thank you for your attention to this matter.

Sincerely yours,



Ben Banipal, P.E., Branch Chief  
Technical and Enforcement Branch  
Superfund Division

**Enclosures:**

- 1 Information Request
- 2 Information on Involvement at the Site
- 3 Map & Aerial Photo
- 4 Small Business Resource Fact Sheet
- 5 Parties that previously received General and/or Special Notice Letters
- 6 Parties receiving this 104(e)/General Notice

cc: BP America Inc.  
Legal Department  
PO Box 940100  
Houston, Texas 77094

ENCLOSURE 1

STAR LAKE CANAL SUPERFUND SITE  
PORT NECHES & GROVES, JEFFERSON COUNTY, TEXAS  
INFORMATION REQUEST

INFORMATION REQUEST

Under the authority of Section 104(e) of Superfund, EPA is requesting you to respond to the attached Information Request and to provide any relevant information related to this Site. Relevant information may include information concerning the type and quantity of substances transported to or treated, stored, or disposed of at the Site and releases of hazardous substances at or from the Site.

If you have information about other parties who may have information which may assist the EPA in its investigation of the Site or may be responsible for the contamination at the Site, that information should be submitted within the time frame noted above.

Under Section 104(e)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9604(e)(2), EPA has broad information gathering authority which allows EPA to require persons to furnish information or documents relating to:

(A) the identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of at vessel or facility or transported to a vessel or facility; and,

(B) the nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility; and

(C) information relating to the ability of a person to pay for or to perform a cleanup.

While EPA seeks your cooperation in this investigation, compliance with the Information Request is required by law. **Failure to respond to such an information request may result in EPA seeking penalties of up to \$53,907 per day of violation.** In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by EPA in administrative, civil, or criminal proceedings. We encourage you to give this matter your immediate attention and request that you provide a complete and truthful written response to this Information Request **within (30) calendar thirty days of your receipt of this letter.**

Please be aware that your response may include information that you consider confidential business information. If you make a claim of confidentiality on any of the information you submit to EPA, you must prove that claim for each document.

Instructions on how to respond to the Questions are described in this document. Please send your response to this Information Request to Mr. Kenneth Talton at the address in the letter.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. §§3501 et seq.

## INSTRUCTIONS AND DEFINITIONS

1. Please provide a separate narrative response for each and every Question and subpart of a Question set forth in this Information Request.
2. Precede each answer with the Question (or subpart) and the number of the Question (and the letter of a subpart of a Question, if applicable) to which it corresponds.
3. If information or documents not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, ***you must supplement*** your response to the U.S. Environmental Protection Agency (EPA). Moreover, should you find, at any time, after submission of your response, that any portion of the submitted information is false or misrepresents the truth, or, though correct when made, is no longer true, you must notify the EPA of this fact as soon as possible and provide the EPA with a corrected response.
4. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the Question (and the letter of a subpart of a Question, if applicable) to which it responds.
5. You may assert a business confidentiality claim covering part or all of the information which you submit in response to this request. Any such claim must be made by placing on (or attaching to) the information, at the time it is submitted to the EPA, a cover sheet or a stamped or typed legend or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Confidential portions of otherwise non-confidential documents should be clearly identified and may be submitted separately to facilitate identification and handling by the EPA. If you make such a claim, the information covered by that claim will be disclosed by the EPA only to the extent, and by means of the procedures, set forth in subpart B of 40 CFR Part 2. If no such claim accompanies the information when it is received by the EPA, it may be made available to the public by the EPA without further notice to you. The requirements of 40 CFR Part 2 regarding business confidentiality claims were published in the Federal Register on September 1, 1976, and were amended September 8, 1976, and December 18, 1985.
6. Personal Privacy Information. Personnel and medical files, and similar files the disclosure of which to the general public may constitute an invasion of privacy should be segregated from your responses, included on separate sheet(s), and marked as "Personal Privacy Information."
7. Objections to questions. If you have objections to some or all the questions within the Information Request Letter, you are still required to respond to each of the questions.



## **DEFINITIONS**

The following definitions shall apply to the following words as they appear in this enclosure:

1. The terms "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.
2. The term "any", as in "any documents" for example, shall mean "any and all."
3. The term "arrangement" means every separate contract or other agreement between two or more persons.
4. The terms "document(s)" and "documentation" shall mean any object that records, stores, or presents information, and includes writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including by way of illustration and not by way of limitation, any invoice, manifest, bill of lading, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations including meetings, agreements and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, telecopy, telefax, report, notice, message, analysis, comparison, graph, chart, map, interoffice or intra office communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording on any type of device, any punch card, disc pack; any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such punch card, disc, or disc pack, tape or other type of memory and together with the printouts of such punch card, disc, or disc pack, tape or other type of memory); and (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like on it, (c) drafts, (d) attachments to or enclosures with any document and (e) every document referred to in any other document.
5. The term "hazardous material" shall mean any hazardous substances, pollutants or contaminants, and hazardous wastes, as defined below.
6. The term "hazardous substance" shall have the same definition as that contained in Subsection 101(14) of CERCLA, 42 U.S.C. § 9601(14), and includes any mixtures of such hazardous substances with any other substances.
7. The term "hazardous waste" shall have the same definition as that contained in Section 1004(5) of RCRA, 42 U.S.C. § 6903(5), and 40 CFR Part 261.

8. The term "identify" means, with respect to a natural person, to set forth the person's name, present or last known business and personal addresses, email address(es), and telephone numbers, and present or last known job title, position or business. Also provide e-mail addresses.
9. The term "identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including, but not limited to, a sole proprietorship), to set forth its full name, address, and legal form (e.g. corporation [including state of incorporation], partnership, etc.), organization, if any, a brief description of its business, and to indicate whether or not it is still in existence and, if it is no longer in existence, to explain how its existence was terminated and to indicate the date on which it ceased to exist. Also provide e-mail addresses.
10. The term "identify" means, with respect to a document, to provide the type of document, to provide its customary business description, its date, its number, if any (invoice or purchase order number), subject matter, the identity of the author, addressor, addressee and/or recipient, and the present location of such document.
11. The term "material(s)" shall mean any and all objects, goods, substances, or matter of any kind including, but not limited to, wastes or hazardous wastes.
12. The term "operator" shall mean those persons who operates or operated the facility (i.e., the Star Lake Canal Superfund Site) during the time when the hazardous substances were disposed.
13. The term "owner" shall mean those persons who now own or owned the facility (i.e., the Star Lake Canal Superfund Site).
14. The term "person" shall have the same definition as in Section 101(21) of CERCLA, 42 U.S.C. § 9601(21).
15. The terms "pollutant" or "contaminant," shall have the same definition as that contained in Section 101(33) of CERCLA, 42 U.S.C. § 9601(33), and includes any mixtures of such pollutants and contaminants with any other substances. The term shall include, but not be limited to, any element, substance, compound, or mixture. The term shall also include disease-causing agents which after release into the environment will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunction in reproduction), or physical deformations.
16. The term "release" has the same definition as that contained in Section 101(22) of CERCLA, 42 U.S.C. § 9601(22), and includes any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including the abandonment or discharging of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant.

17. The term "Site" or "Facility" shall mean and include the Star Lake Canal Site located in and around the cities of Port Neches and Groves (both cities in Jefferson County, Texas).
18. The term "solid waste" shall have the same definition as that contained in Section 1004(27) of RCRA, 42 U.S.C. § 6903(27), and 40 CFR Part 261.
19. The term "you" or "your" or "Respondent" or "you" shall mean the addressee of this Request, including the addressee's officers, managers, employees, contractors, tastes, partner, successors and agents.
20. Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular question or questions as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.
21. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, RCRA, 40 CFR Part 300 or 40 CFR Parts 260-280, in which case the statutory or regulatory definitions shall apply.
22. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, RCRA, 40 CFR Part 300 or 40 CFR Parts 260-280, in which case the statutory or regulatory definitions shall apply.

## **QUESTIONS**

### **GENERAL INFORMATION CONCERNING RESPONDENT**

1. Provide the full legal name and mailing address of the Respondent. Also, identify Respondent's prior name(s) and Respondent's assumed name(s).
2. Identify and provide the full name, title, business address, and business telephone number for each person answering these questions on behalf of the Respondent, and each person(s) that was relied on or consulted with in the preparation of the answer.
3. If Respondent wishes to designate an individual for all future correspondence concerning this Site, including legal notices, please provide the individual's name, address, and telephone number.
4. If Respondent is a business, please give a brief description of the business formation and nature of the business.

### **REQUESTS FOR DOCUMENTS**

Please identify (see Definitions) and provide copies of all documents (see Definitions) consulted, examined, or referred to in the preparation of the answers to the above questions including all subparts of each question, or that contain information responsive to the question.

1. At any time has Respondent and/or Respondent's corporate predecessor(s) owned any parcel(s) and/or tract(s) of land in the area known as Molasses Bayou in Jefferson County, Texas and/or any parcel(s) and/or tract(s) of land between Pure Atlantic Road (a/k/a Highway 366) and Molasses Bayou in Jefferson County, Texas?
  - a. If Respondent's answer to this question is yes, please provide a copy of each recorded deed that documents each purchase (purchased land area hereafter referred to as "Respondent's Molasses Bayou Property" or "Its Molasses Bayou Property").
  - b. If Respondent's answer to this question is no, please identify the owner(s) of the property upon which Respondent had conducted business operations in the area between Pure Atlantic Road (a/k/a Highway 366) and Molasses Bayou in Jefferson County, Texas.
2. At any time has any business entity/entities **related to** Respondent and/or Respondent's corporate predecessor(s) owned any parcel(s) and/or tract(s) of land in the area known as Molasses Bayou in Jefferson County, Texas and/or any parcel(s) and/or tract(s) of land between Pure Atlantic Road (a/k/a Highway 366) and Molasses Bayou in Jefferson County, Texas?
  - a. If Respondent's answer to this question is yes, please provide a copy of each recorded deed that documents each purchase (purchased land area hereafter referred to as "Respondent's Molasses Bayou Property" or "Its Molasses Bayou Property").

9. Describe Respondent's activities that pertain to disposing/releasing hazardous substances on its Molasses Bayou Property. Unless Respondent's answer to the preceding statement is, "Respondent has never conducted any of the described activities on its Molasses Bayou Property," please answer the following questions:
- Described the type(s) and quantity of hazardous substance(s) released onto Respondent's Molasses Bayou Property, and
  - Describe the chemical composition, characteristics, physical state, e.g., solid, liquid, gas, of each hazardous substance(s) released onto Respondent's Molasses Bayou Property, and
  - Identify the quantity/quantities of each such hazardous substance(s) released onto Respondent's Molasses Bayou Property.
10. At any time was any hazardous substance(s) from any person(s), from any adjacent property owner(s), and/or from any business entity/entities (other than from Respondent) released onto Respondent's Molasses Bayou Property? Unless Respondent's absolute answer to the preceding statement is, "Such described activities never occurred on or at Respondent's Molasses Bayou Property," please answer the following questions:
- Describe type(s) and quantity of hazardous substance(s) released onto Respondent's Molasses Bayou Property, and
  - Describe the chemical composition, characteristics, physical state, e.g., solid, liquid, gas, of each hazardous substance(s) released onto Respondent's Molasses Bayou Property, and
  - Identify the quantity/quantities of each such hazardous substance(s) released onto Respondent's Molasses Bayou Property, and
  - Identify the person(s) and/or business entity/entities that transported the hazardous substance(s) that had been released onto Respondent's Molasses Bayou Property, and
  - Identify the person(s) and/or business entity/entities from which the transporter(s) obtained the hazardous substance(s) that had been released onto Respondent's Molasses Bayou Property, and
  - Date(s) the hazardous substance(s) had been released onto Respondent's Molasses Bayou Property

- b. If Respondent's answer to this question is no, please respond with the word, "No."
3. At any time has any business entity/entities **that merged into** Respondent and/or into Respondent's predecessor(s) owned any parcel(s) and/or tract(s) of land in the area known as Molasses Bayou in Jefferson County, Texas and/or any parcel(s) and/or tract(s) of land between Pure Atlantic Road (a/k/a Highway 366) and Molasses Bayou in Jefferson County, Texas?
- a. If Respondent's answer to this question is yes, please provide a copy of each recorded deed that documents each purchase (purchased land area hereafter referred to as "Respondent's Molasses Bayou Property" or "Its Molasses Bayou Property").
- b. If Respondent's answer to this question is no, please respond with the word, "No."
4. **Prior** to Respondent's acquisition and/or control of its Molasses Bayou Property, had Respondent been advised, heard rumors, or been given reason to believe any hazardous substance had been disposed of onto the property, released onto the property, allowed to drain across the property, and/or drain from the property onto any part of the adjacent Molasses Bayou wetland? If Respondent's answer to this question is yes, please explain and provide copies of all documents having information about the disposal/release of any hazardous substance(s).
5. **At any time after** Respondent acquired and/or controlled any part of Its Molasses Bayou Property, had Respondent been advised, heard rumors, or had reason to believe any hazardous substance had been disposed onto the property, released onto the property, allowed to drain across the property, and/or drain from the property onto any part of the adjacent Molasses Bayou wetland? If Respondent's answer to this question is yes, please explain and provide copies of all documents having information about the disposal/release of such hazardous substance(s).
6. Has Respondent ever leased, rented, or in any other way allowed any person(s) and/or any business entity/entities to dispose/release any hazardous substance onto Its Molasses Bayou Property? If Respondent's answer to this question is yes, please explain and provide a copy of all lease agreements, all rental agreements, and/or other written agreements that granted/allowed the disposal/release of a hazardous substance onto Its Molasses Bayou Property.
7. Provide copies of all environmental investigations initiated by Respondent that were/are related to disposal/release of a hazardous substance onto or from the Molasses Bayou Property.
8. Provide copies of all reports Respondent has received from the City of Port Neches, the County of Jefferson, and/or the State of Texas that pertain to disposal/release of any hazardous substance(s);
- a. **On** Respondent's Molasses Bayou Property.
- b. **From** Respondent's Molasses Bayou Property via drainage across the property and thereafter onto part(s) of the adjacent Molasses Bayou wetland.

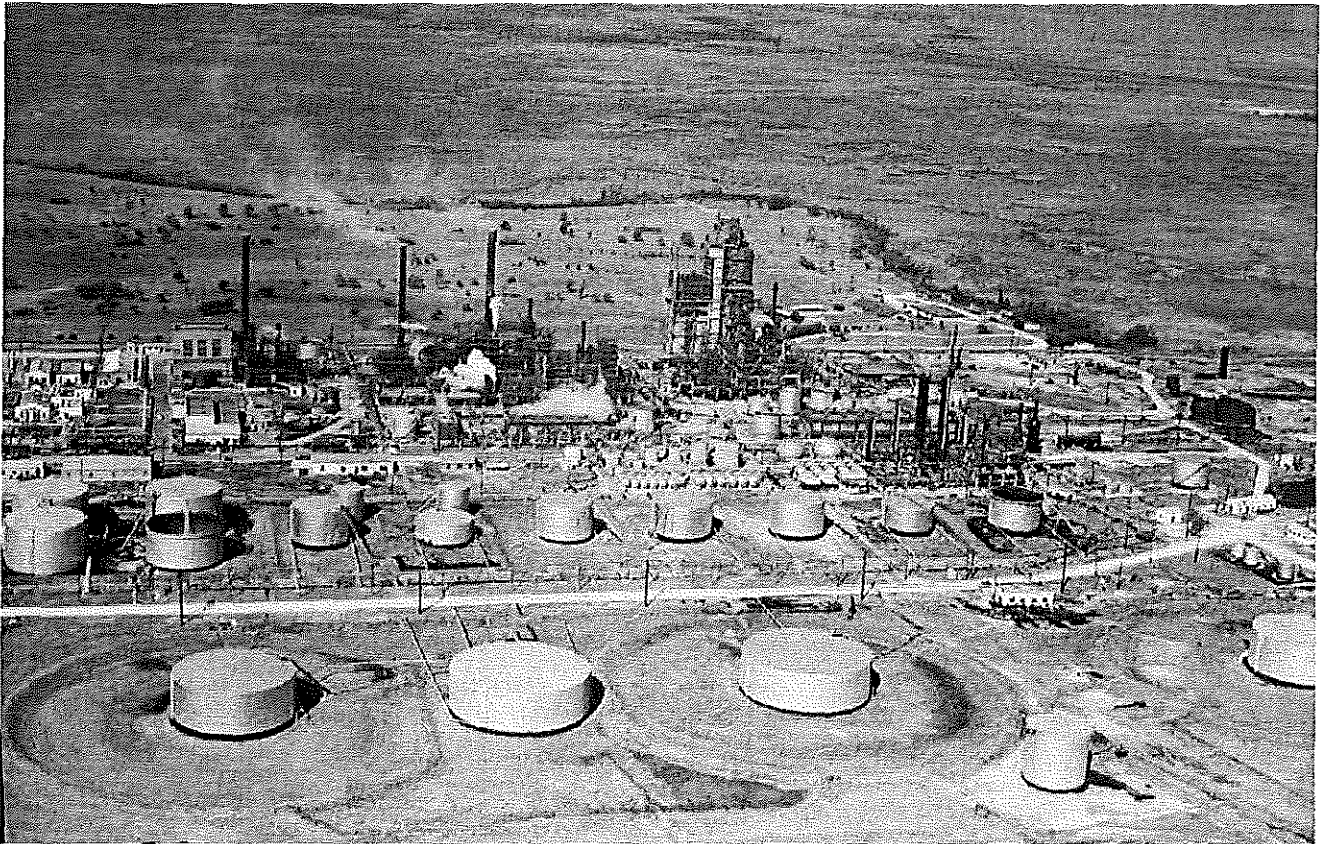


**ENCLOSURE 2**

**STAR LAKE CANAL SUPERFUND SITE  
PORT NECHES & GROVES, JEFFERSON COUNTY, TEXAS  
GENERAL NOTICE LETTER**

**INFORMATION ON INVOLVEMENT AT SITE**

# **Preliminary Nexus Summary For The ARCO – BP Oil Corporation 3/10/17**

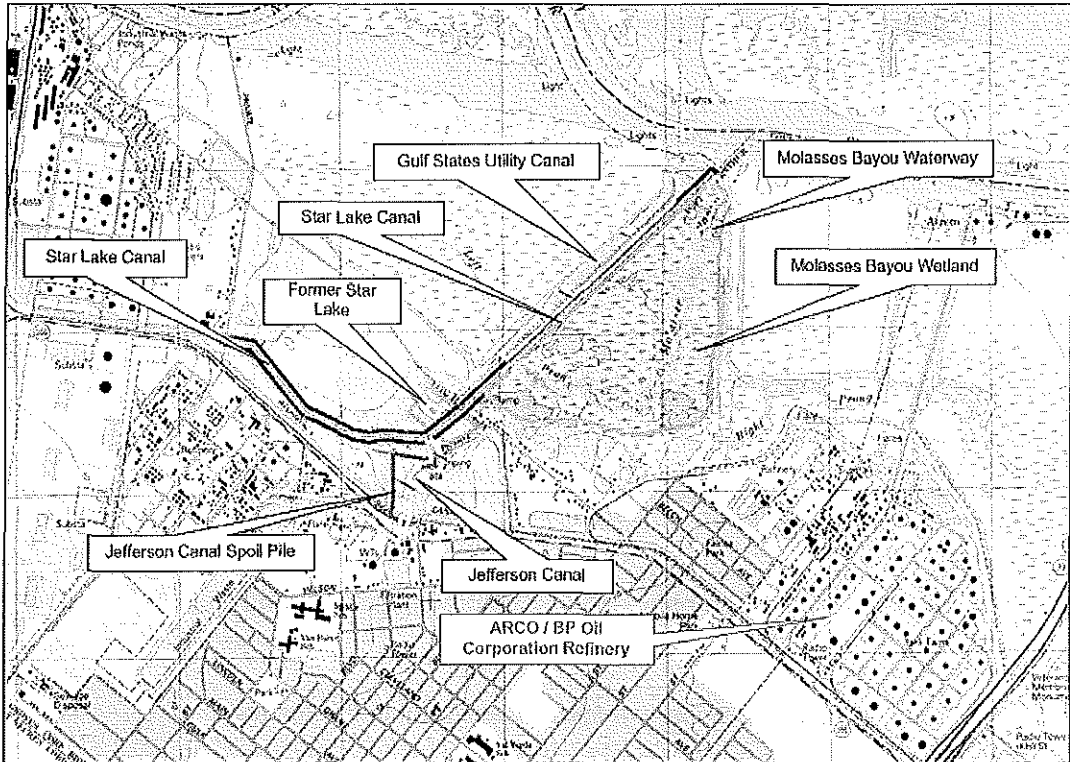


Source: SMU Central University Library, Robert Yarnell Richie Photograph Collection, Atlantic Refining Co., Atreco, Texas; Aerial 11/53; #3906-1

Draft – Subject to Revision – Updated as of March 10, 2017

## Table of Contents

- Part I – Site Summary Overview
- Part 2 – Summary of Key Information
- Part 3 – Permits
- Part 4 – Complaints, NOVs, Consent Orders, Enforcement Actions
- Part 5 – Environmental Studies or Investigations
- Part 6 – Pathway
- Part 7 – Nexus Summary
- Part 8 – Corporate Succession and Corporate Relationships
- Part 9 – Acronym List

Part I – Site Summary Overview – BP Oil Corporation	
Refinery Operational Period	<p>1936 to July 1973</p> <p>The Atlantic Refining Company; Atlantic Richfield Company ("ARCO"); Standard Oil Company of Ohio ("Sohio"); and BP Oil Corporation<sup>1</sup></p>
	 <p>Figure 1. The topographic map depicts the former BP Refinery in relation to the seven highlighted areas of interest ("AOIs") in the Star Lake Superfund Site.<sup>2</sup> Source: USGS, 1993</p>
Nexus Summary	<p>BP Refinery discharges containing CERCLA-listed hazardous substances, contributed to contamination present in the Star Lake Canal Superfund Site and the Molasses Bayou Waterway and Molasses Bayou Wetlands Areas of Interest ("AOI") in particular.</p>

<sup>1</sup> For the purposes of this summary, the refinery will be referred to as the "Site or BP Refinery".

<sup>2</sup> The seven AOIs, as depicted in Figure 1, include Jefferson Canal, Jefferson Canal Spoil Pile, Former Star Lake, Star Lake Canal, Gulf State Utility Canal, Molasses Bayou Waterway, and Molasses Bayou Wetland (Conestoga-Rovers & Associates and Cardno ENTRIX, *Final Tier 2 Remedial Investigation Report*, August 2011, pp. 12–14; USEPA, Region 6, *Record of Decision: Star Lake Canal Superfund Site*, September 2013, pp. 1–3).

## Part 2 – Summary of Key Information

### Operational Chronology:

#### between March 1936 and March 1937

- The Atlantic Refining Company began operating a refinery on the Site.<sup>3</sup>

#### as of 1941

- The refinery had a crude oil throughput capacity of 20,000 barrels per day ("bpd"). It produced motor gasoline and fuel oils.<sup>4</sup>

#### 1944

- The Atlantic Refining Company added a fluid catalytic cracking unit to the refinery.<sup>5</sup>

#### 1956

- The Atlantic Refining Company added an alkylation unit to the refinery.<sup>6</sup>

#### 1957

- The Atlantic Refining Company added a reformer to the refinery.<sup>7</sup>

#### 1959

- The Atlantic Refining Company added a natural gas processing plant to the refinery.<sup>8</sup>

#### 1962

- The Atlantic Refining Company added a crude unit to the refinery.<sup>9</sup>

#### as of 1967

- The refinery's processing units included a crude still, a thermal visbreaker (cooled with about 3,000 gallons per minute of Neches River water), one fluid catalytic cracking unit, two catalytic reformers, a hydro-desulfurizer for distillate fuels, an alkylation unit for gasoline production, a propylene polymerization and polymer fractionation unit, a sulfur recovery unit, a caustic wash unit, and a detergent alkylate unit. It produced gasoline, specialty naphthas, kerosene, distillate fuels, residual fuels, detergent alkylates, and LPG.<sup>10</sup> The refinery had a crude oil throughput capacity of 84,000 bpd.<sup>11</sup>

<sup>3</sup> Port Arthur Centennial History, 1898–1998, p. 92; "Refineries Operating in United States," *Oil and Gas Journal*, March 19, 1936, p. 167; "Refineries Operating in United States," *Oil and Gas Journal*, March 25, 1937, p. 178.

<sup>4</sup> Moody's Manual of Investments: Industrial Securities, 1941, p. 2209; "Refineries Operating in United States," *Oil and Gas Journal*, March 27, 1941, p. 191.

<sup>5</sup> Port Arthur Centennial History, 1898–1998, p. 92.

<sup>6</sup> Port Arthur Centennial History, 1898–1998, p. 92.

<sup>7</sup> Port Arthur Centennial History, 1898–1998, p. 92.

<sup>8</sup> Port Arthur Centennial History, 1898–1998, p. 92.

<sup>9</sup> Port Arthur Centennial History, 1898–1998, p. 92.

<sup>10</sup> Marshall Elliott and Larry Smailhall, Atlantic Richfield Refining Co., Industry Survey, November 1, 1967.

<sup>11</sup> "U.S. Refineries: Where, Capacities, Types of Processing," *Oil and Gas Journal*, April 3, 1967, p. 198.

## Part 2 – Summary of Key Information

### 1968

- ARCO sold the refinery to Standard Oil Company of Ohio. As of January 1, 1970, BP Oil Corporation, a subsidiary of SOHIO, operated the refinery.<sup>12</sup>

### 1970–1972

- BP Oil Corporation improved the refinery's existing wastewater treatment facilities by adding aeration and surge basins, a clarifier, and sludge recycling and aerobic digestion facilities.<sup>13</sup> See Parts 3 and 6 for descriptions of the improvements.

### July 1973

- American Petrofina acquired the refinery from Sohio.<sup>14</sup>

## Part 3 – Permits

### Texas Industrial Wastewater Discharge Permit

On March 4, 1963, the Texas Water Commission issued to Atlantic Refining Company industrial wastewater discharge permit No. 00491.<sup>15</sup> Effective April 24, 1969, the permit was amended. The amended permit required BP Oil Corporation to remove domestic sewage from the waste stream and improve its wastewater treatment system (which consisted of an API oil-water separator, an equalization basin, and two sludge disposal basins) by installing aeration and surge basins by July 1, 1970. A second phase of improvements, to be implemented by December 31, 1972, would convert the system to an extended aeration process with the addition of a clarifier and sludge recycling and aerobic digestion facilities.<sup>16</sup>

## Part 4 – Complaints, NOVs, Consent Orders, Enforcement Actions

None documented. Trade literature indicates that during refinery operations (e.g. distillation, thermal or catalytic cracking, reforming, alkylation, polymerization, isomerization, chemical treating, solvent refining, etc.) oily wastes are routinely released from plants to sewers at various locations. These releases can occur because of leaky connections, pump leakage, spills, line breakage, and the like. Large volumes of oil may be released during emergencies or scheduled shutdowns, equipment cleaning, or unit start-ups. Leaks and spills can occur during product transfers, tank overflows and by accidental opening of valves. Tank cleaning activities can involve steam, which when it condenses will contain oil and sediment. If the waste is allowed to accumulate on the ground, the oil may gradually seep into nearby surface waters.<sup>17</sup> Given the timeframe of BP's operations, the absence of documented complaints and NOVs is not an indication that routine spills and releases did not occur at the BP Refinery.

<sup>12</sup> Port Arthur Centennial History, 1898–1998, p. 92; Moody's Industrial Manual, 1972, vol. 2, p. 2537.

<sup>13</sup> BP Corporation, Industrial Wastewater Discharge Permit No. 00491. An undated map depicts the proposed location of the wastewater treatment plant.

<sup>14</sup> Moody's Industrial Manual, 1990, vol. 1, p. 2571.

<sup>15</sup> BP Corporation, Industrial Wastewater Discharge Permit No. 00491.

<sup>16</sup> BP Corporation, Industrial Wastewater Discharge Permit No. 00491.

<sup>17</sup> American Petroleum Institute, *Manual on Disposal of Refinery Wastes*, vol. 1, *Waste Water Containing Oil*, 6<sup>th</sup> ed., (1959), p. 11–13.



## Part 5 – Environmental Studies or Investigations

Additional regulatory agency requests have been submitted for additional materials.

## Part 6 – Pathway

Figure 2 depicts the approximate locations of outfalls and other features discussed below.

The earliest documentation of the existing discharge system being in place at the Site dates to 1967. Based on topographic maps and aerial photographs, however, infrastructure that carried process, storm, and sanitary flows appear to have been in place from at least 1943 and continue to appear on aerial photographs from 1953 and 1956. See Figures 3, 4, and 5. These figures are being used in this section to illustrate the fact that features discussed in reports from the 1960s were present during earlier timeframes.

The primary effluent discharge pathways for the BP Refinery, relevant to this matter, are a 16-foot-wide ditch cut through the marsh ("North Ditch"), a feature referred to as the Motor Boat Canal, and three outfalls (Outfall 001, Outfall 002, Outfall 003) located proximate to the North Ditch and Motor Boat Canal. A fourth outfall (Outfall 004) is located on the easterly side of the refinery. Discharges from Outfall 004 do not appear to reach the Star Lake Canal Superfund Site. See Figure 2.

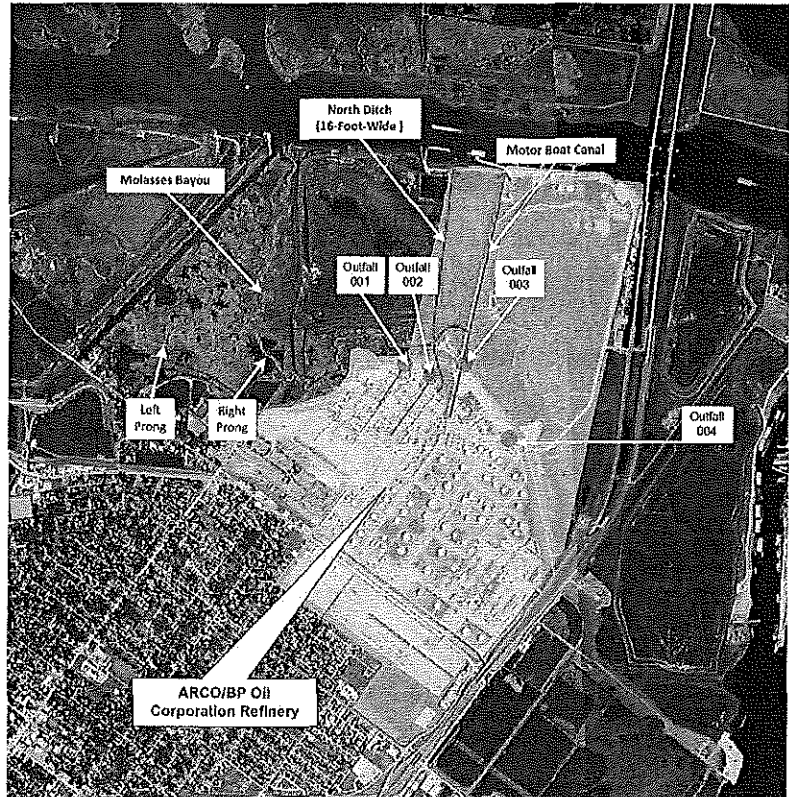


Figure 2. All feature locations are approximate.

Source : ESRI, 2016

## Part 6 – Pathway

As described in a 1967 Industry Survey, wastewater associated with the BP Refinery discharged to the Neches River through the North Ditch. Waste streams within the process area ultimately discharged to this feature through two conveyances: 1) the North Ditch received about half of the refinery's storm water, once-through cooling water, sludge from a clarifier, regeneration waste from softeners, boiler blowdown, and process and wash-up waste from the crude still from an equalization basin (see Figures 3, 4, and 5); and 2) all other process wastes, cooling tower blowdown, and some storm water discharged to the North Ditch at a point approximately 300 yards into the marsh where a so-called Accellator Outfall was located. See Figure 6. This combined stream (North Ditch and Accellator Outfall) contained practically all of the oily wastes from the Site. The waste stream passed through an earthen pit separator to remove oil and settleable solids. The water from the separator discharged to an Infilco Accelator, which treated the wastewater with alum floc. Sludge from the Accelator was pumped to a large pit in the marsh. As of 1967, the unit had been in service for 10 years.<sup>18</sup>

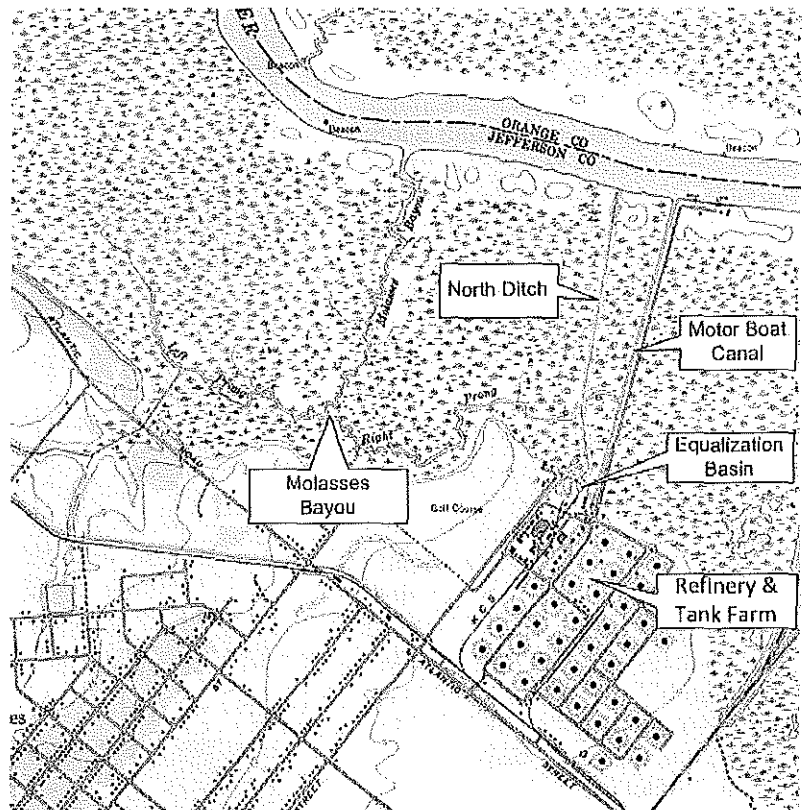


Figure 3.

Source: USGS 1943

<sup>18</sup> Marshall Elliott and Larry Smaihall, Atlantic Richfield Refining Co., Industry Survey, November 1, 1967. It should be noted that the manufacturer of the Infilco system spelled "Accelator" differently in promotional advertisements than the author of the above referenced memorandum. Indeed, during the 1930s, Infilco trademarked the Accelator name. See Library of Congress, *Catalog of Copyright Entries*, Third Series, 1957, p. 1204; Infilco, Inc., *The Accelator Treating Plant Bulletin* 1825 (1955).

## Part 6 – Pathway

According to the 1967 Industry Survey, wastewater associated with a Demineralization Unit, which alternated between diluted sulfuric acid and diluted sodium hydroxide, discharged to the marsh between the BP Refinery and the river via a so-called Country Club Ditch, which ran through company-owned vacant property north of the processing units.<sup>19</sup> This outfall would later be referred to as Outfall A and still later as Outfall 001.

An amended wastewater discharge permit with an effective date of April 24, 1969, described the BP Refinery's outfalls as follows: Outlet A (Outfall 001), an open drainage ditch, discharged storm water runoff into the marsh; Outlet B (Outfall 002), an open drainage ditch, discharged untreated, once-through cooling water into the marsh. Both of these streams discharged to the marshy area and/or traveled to the Molasses Bayou Waterway. Outlet C (Outfall 003) discharged treated process waste streams through a 24" pipe to the Motor Boat Canal and then to the Neches River.<sup>20</sup>

As shown in Figures 3-6, the Motor Boat Canal was connected to the right prong of Molasses Bayou. The right prong of the Molasses Bayou crossed the North Ditch.<sup>21</sup> Although available textual documents do not describe the conditions under which discharges to the Molasses Bayou occurred, it appears both features allowed refinery effluent discharges to reach the Molasses Bayou.

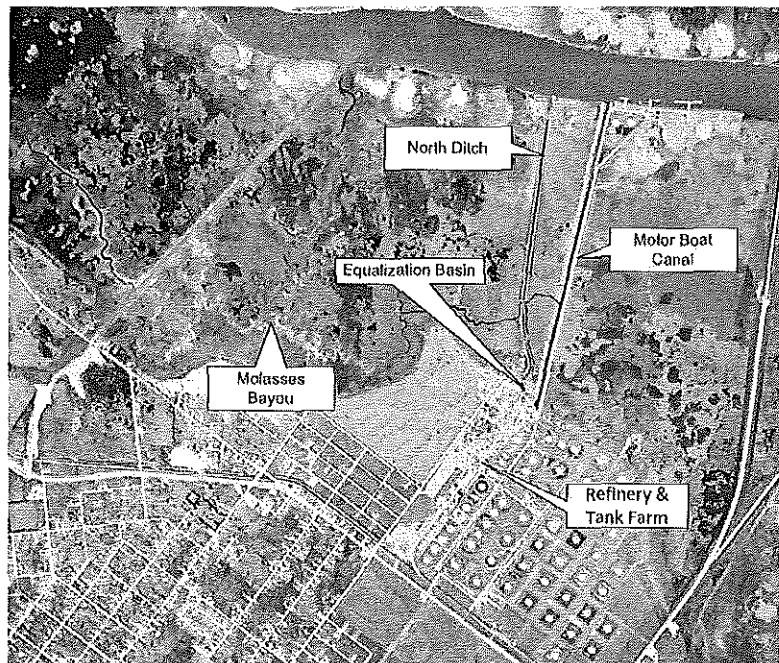


Figure 4. Source: USGS, 1952

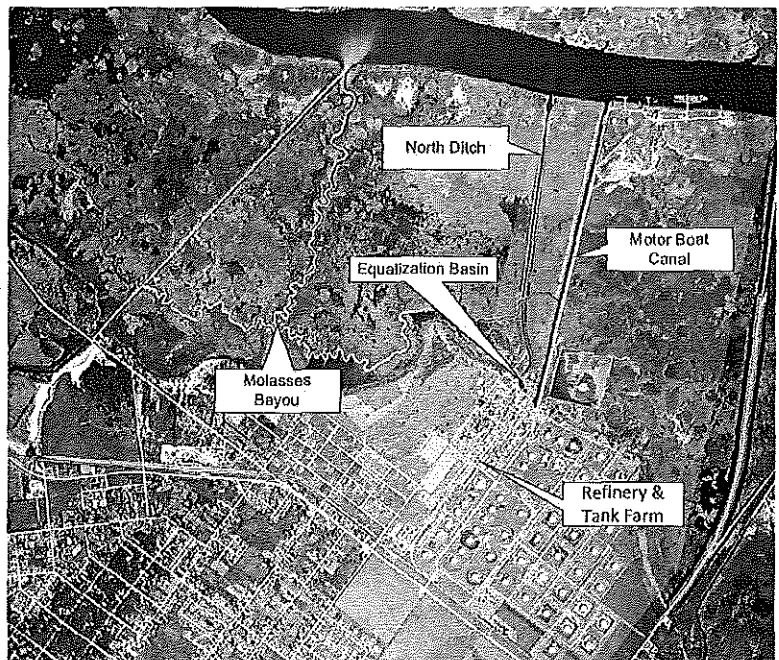


Figure 5. Source: USGS, 1956

<sup>19</sup> Marshall Elliott and Larry Smaihall, Atlantic Richfield Refining Co., Industry Survey, November 1, 1967.

<sup>20</sup> BP Corporation, Industrial Wastewater Discharge Permit No. 00491.

<sup>21</sup> The connection is also depicted in a figure attached to BP Corporation, Industrial Wastewater Discharge Permit No. 00491.

## Part 6 – Pathway

Furthermore, Figure 6 depicts additional filling activity in the northeastern portion of the Site, near the marshland area, and the construction of waste disposal ponds proximate to the right prong of Molasses Bayou. The aerial also depicts two ditches leading from the facility to the right prong of Molasses Bayou.

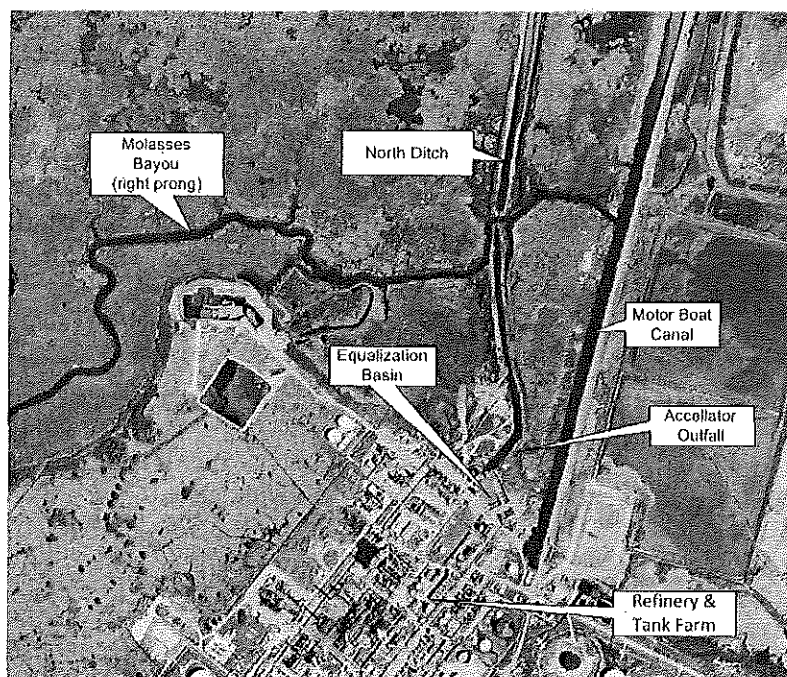


Figure 6. Source: USGS, 1970

**Note:** The location of the Accellator Outfall is not clear from source documents and therefore should be considered to be approximate.

## Part 7 – Nexus Summary

BP operated the refinery from 1936 until America Petrofina acquired it in July 1973. Effluent from the BP Refinery discharged directly to Molasses Bayou and Molasses Bayou wetlands area from Outfall 001 from at least 1967 and from Outfall 002 from at least 1969. At least as of 1957, if not earlier, refinery waste effluent was treated by an earthen-pit separator and an Infilco Accellator clarifier and then waste water was discharged to the North Ditch and ultimately to the Neches River.<sup>22</sup> Solids from this system were disposed of in a large pit in the marsh, proximate to the right prong of Molasses Bayou between the BP Refinery and the Neches River. Between 1970 and 1972, the wastewater treatment system was improved with the installation of aeration and surge basins, a sour water stripper, a clarifier, a dissolved-air flotation unit, and a land farm. Refinery storm water discharged to the marsh via Outfall 001.<sup>23</sup> Storm water, once-through cooling water, and treated tank farm runoff discharged to the marsh via an unlined ditch known as Outfall 002.<sup>24</sup> Wastes from Outfall 002 were later found to contain a variety of semi-volatile organic compounds ("SVOCs"), and volatile organic compounds ("VOCs"), polycyclic aromatic hydrocarbons ("PAHs"), and metals.<sup>25</sup> Treated

<sup>22</sup> Marshall Elliott and Larry Smiall, Atlantic Richfield Refining Co., Industry Survey, November 1, 1967.

<sup>23</sup> American Petroleum Institute, *Manual on Disposal of Refinery Wastes*, vol. 1, *Waste Water Containing Oil*, 6<sup>th</sup> ed., (1959), p. 11–13; W. B. Hart, "Proper Classification of Wastes: First Step in Disposal Program," *National Petroleum News*, April 3, 1946, p. R-294 (quoted); idem, "Waste Oils Escaping to Surface Waters May Cause Many Kinds of Damage," *National Petroleum News*, June 5, 1946, p. R-468–R-469; BP Corporation, Industrial Wastewater Discharge Permit No. 00491; Wastewater Treatment Plant, diagram, undated.

<sup>24</sup> Hart, "Waste Oils Escaping to Surface Waters May Cause Many Kinds of Damage," *National Petroleum News*, June 5, 1946, p. R-467; BP Corporation, Industrial Wastewater Discharge Permit No. 00491.

<sup>25</sup> Fact Sheet (R06-9716636), December 6, 1979.

## Part 7 – Nexus Summary

wastewater was discharged to the Motor Boat Canal at Outfall 003. As described in Part 6, the Motor Boat Canal was connected to Molasses Bayou. Effluent from Outfall 003 discharged to the Motor Boat Canal would have flowed (and/or overflowed during storm events) to Molasses Bayou, and was later found to include methylene chloride, phenol, chromium, toluene, and arsenic.<sup>26</sup>

### Connection to the Star Lake Superfund Site

Based on available information, historical industrial wastewater and storm water discharges associated with the BP Refinery likely contributed to the contamination of both the Molasses Bayou Waterway and the Molasses Bayou Wetlands AOIs. The contributing pathway to the site associated with refinery operations is the “right prong” of the Molasses Bayou Waterway, which joins the “left prong” of the Molasses Bayou Waterway within the boundary of the Molasses Bayou Wetlands AOI and the wetlands themselves.<sup>27</sup>

The ROD divided the Site into seven AOIs.<sup>28</sup> The potential source area for the Superfund Site includes the impacted sediments of the Star Lake and Jefferson Canals and the Molasses Bayou.<sup>29</sup> Regarding the latter, the “left prong” of the Molasses Bayou Waterway is defined as the AOI under the ROD. As defined, however, the AOI extends downstream of the point of confluence of the left and right prongs of the waterway to the Neches River.<sup>30</sup> Discharges from refinery outfalls to the right prong of Molasses Bayou and marsh area, as well as other operations such as the disposal of solid wastes in the marsh area, provide pathways to the Star Lake Superfund site. The following discussion of sampling results illustrates this connection between the pathways and the Superfund site, but should not be interpreted to be the only sampling information that establishes a nexus between the refinery effluent discharges and the Superfund site.

Surface water samples were collected from numerous on the Molasses Bayou during the Remedial Investigation (“RI”). PAHs, SVOCs, VOCs, and metals were detected in multiple samples. SVOCs and VOCs were detected at sample locations both upstream and downstream of the left-right-prong confluence. As an example, analysis of the surface water sample location MB-13 on the right prong of Molasses Bayou detected PAH constituents and a number of metals. PAHs and metals were also found at surface water sample location MB-10, which is downstream of MB-13 after the confluence of the left and right prongs of the Molasses Bayou Waterway.<sup>31</sup>

Surface sediment samples were also collected at locations associated with the Molasses Bayou AOI during the RI. In samples collected downstream of the BP Refinery, PAH, SVOC, and VOC constituents, metals, PCBs, TPH, and pesticides were detected in sediments. As noted above, effluent containing PAHs and metals were found in discharges from refinery outfalls to the Molasses Bayou and Molasses Bayou Wetlands.<sup>32</sup>

Additional sampling conducted during the RI provides further support for a nexus between historical industrial wastewater discharges associated with the BP Refinery and contamination of both the Molasses Bayou Waterway and the Molasses Bayou Wetlands AOIs. To illustrate, PAHs and the same metals detected at surface water sample location MB-13 were found at surface water sample location MB-49, which is downstream of the confluence of the left and right prongs of the Molasses Bayou Waterway. At surface sediment sample location MB-51, located in wetlands adjacent to the Molasses Bayou Waterway downstream

<sup>26</sup> Fact Sheet (R06-9716636), December 6, 1979.

<sup>27</sup> USEPA, Region 6, *Record of Decision: Star Lake Canal Superfund Site*, September 2013, pp. 62–64.

<sup>28</sup> USEPA, Region 6, *Record of Decision: Star Lake Canal Superfund Site*, September 2013, pp. 1–3, figure 2.

<sup>29</sup> Conestoga-Rovers & Associates and Cardno ENTRIX, *Final Tier 2 Remedial Investigation Report*, August 2011, p. 43.

<sup>30</sup> Conestoga-Rovers & Associates and Cardno ENTRIX, *Final Tier 2 Remedial Investigation Report*, August 2011, figure 3-1.

<sup>31</sup> Conestoga-Rovers & Associates and Cardno ENTRIX, *Revised Draft 1 RI Report*, vol. 1, pp. 37–8, figure 5-4.

<sup>32</sup> Conestoga-Rovers & Associates and Cardno ENTRIX, *Revised Draft 1 RI Report*, vol. 1, pp. 42–3, figure 5-8A.

#### **Part 7 – Nexus Summary**

of the left-right-prong confluence, PAH, SVOC, and VOC constituents, metals, PCBs, TPH, and pesticides found at surface sediment sample location MB-13 were detected.<sup>33</sup> These sample locations are shown on Figure 4-4 of the RI report (attached).

Based on, 1) effluent discharges containing hazardous substances from refinery outfalls to the right prong of Molasses Bayou and wetlands, 2) the disposal of refinery solid wastes into wetlands proximate to the bayou and wetlands areas, and 3) the presence of PAHs, metals, and other contaminants in the effluent and solid wastes associated with refinery operations, there is a nexus between the BP Refinery and contamination present in the Star Lake Canal Superfund Site and the Molasses Bayou Waterway and Wetlands AOIs in particular.<sup>34</sup>

<sup>33</sup> Conestoga-Rovers & Associates and Cardno ENTRIX, *Revised Draft 1 RI Report*, vol. 1, figures 5-4, 5-8A; Conestoga-Rovers & Associates and Cardno ENTRIX, *Final Tier 2 Remedial Investigation Report*, August 2011, tables 6-1C, 6-2F.

<sup>34</sup> USEPA, Region 6, *Record of Decision*, pp. 62–7.



## **Part 8 – Corporate Succession and Relationships**

### The Atlantic Refining Company to ARCO

- On April 29, 1870, the Atlantic Refining Company incorporated in Pennsylvania. The Standard Oil Trust held control of the company from 1874 until its dissolution in 1911.<sup>35</sup>
- Effective January 3, 1966, Richfield Oil Corporation was merged into the Atlantic Refining Company. On May 3, 1966, the name of the company was changed to Atlantic Richfield Company.<sup>36</sup>
- On May 7, 1985, ARCO incorporated in Delaware as a successor to the company originally incorporated in Pennsylvania on April 29, 1870.<sup>37</sup>
- On April 18, 2000, ARCO merged with BP Amoco plc (now BP plc).<sup>38</sup>

### Standard Oil Company of Ohio (BP Oil Corporation)

- On January 10, 1870, the Standard Oil Company (Ohio) incorporated in Ohio.<sup>39</sup>
- On January 1, 1970, Sohio acquired British Petroleum (Holdings), Inc. and amalgamated its properties with those of BP Oil Corporation, the major subsidiary of British Petroleum (Holdings), Inc.<sup>40</sup>
- In 1987, British Petroleum Company plc (now BP plc) acquired complete (95%) control of Sohio and merged it into BP North America Inc., a wholly owned subsidiary. With the merger, BP North America Inc. adopted the name, BP America Inc.<sup>41</sup>

<sup>35</sup> Moody's Industrial Manual, 1941, p. 2208.

<sup>36</sup> Moody's Industrial Manual, 1992, vol. 1, p. 80.

<sup>37</sup> Moody's Industrial Manual, 1992, vol. 1, p. 80.

<sup>38</sup> Mergent Industrial Manual, 2005, vol. 1, p. 402.

<sup>39</sup> Moody's Industrial Manual, 1972, vol. 2, p. 2536.

<sup>40</sup> Moody's Industrial Manual, 1972, vol. 2, p. 2537.

<sup>41</sup> Moody's Industrial Manual, 1989, vol. 2, p. 2654; Moody's Industrial Manual, 1990, vol. 1, p. 1015.

## **Part 9 – Acronym List**

AOIs – Areas of Investigation  
API – American Petroleum Institute  
ARCO – Atlantic Richfield Company  
CAS – carbon adsorption system  
Lbs. – pounds  
LPG – Liquefied Petroleum Gas  
MNR – Monitored Natural Recovery  
NOV – Notice of Violation  
NPDES – National Pollutant Discharge Elimination System  
NSPS – Standards of Performance for New Stationary Sources  
PAHs – polycyclic aromatic hydrocarbons  
RCRA – Resource Conservation and Recovery Act  
ROD - Record of Decision  
Sohio – Standard Oil Company (Ohio)  
SVOCs – semi-volatile organic compounds  
TCEQ – Texas Commission of Environmental Quality  
TWC – Texas Water Commission  
USEPA – United States Environmental Protection Agency  
USGS – United States Geological Survey  
VOCs – volatile organic compounds

**ENCLOSURE 3**

**STAR LAKE CANAL SUPERFUND SITE  
PORT NECHES & GROVES, JEFFERSON COUNTY, TEXAS  
GENERAL NOTICE LETTER**

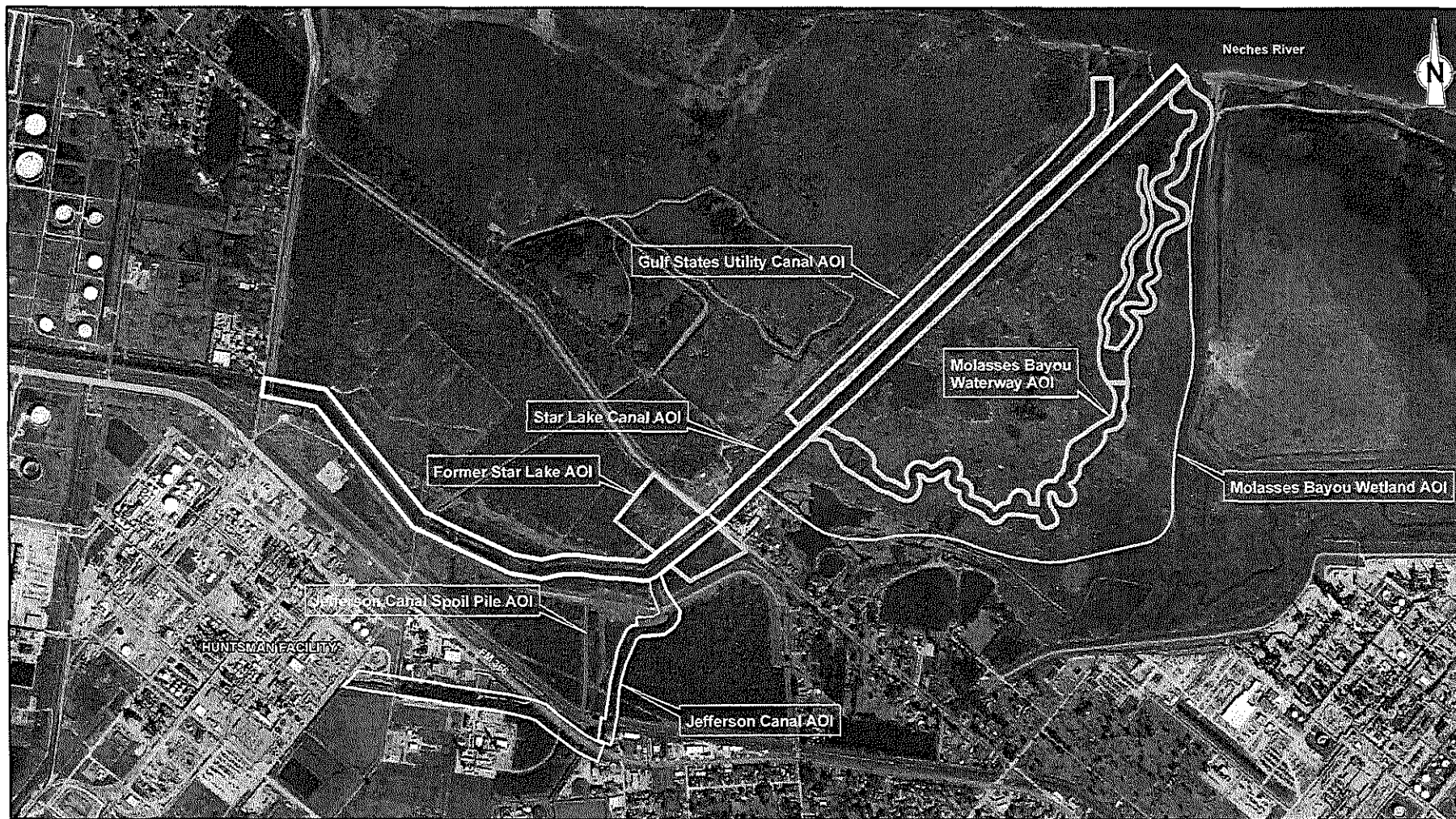
**MAP & AERIAL PHOTO**



RE: USGS 2007 Aerial Photograph "High Resolution State  
Orthoimagery for Southeast Texas."

**Figure 4-4**  
**TIER 1 AND TIER 2 REMEDIAL INVESTIGATION SAMPLE LOCATIONS - MOLASSES BAYOU UPSTREAM, DOWNSTREAM, AND WETLAND AOIs**  
 STAR LAKE CANAL SUPERFUND SITE, JEFFERSON COUNTY, TEXAS  
*Chevron Environmental Management Company, Bellaire, Texas*





RE: 2010 Aerial by Microsoft Corp and its data suppliers.

0 500 1,000  
Feet



27545-00(019)PR-BR004 MAR 29/2012  
017717

Figure 1-3  
SITE MAP - AREAS OF INVESTIGATION  
STAR LAKE CANAL SUPERFUND SITE, JEFFERSON COUNTY, TEXAS  
*Chevron Environmental Management Company, Houston, Texas*

**ENCLOSURE 4**

**STAR LAKE CANAL SUPERFUND SITE  
PORT NECHES & GROVES, JEFFERSON COUNTY, TEXAS  
GENERAL NOTICE LETTER**

**SMALL BUSINESS RESOURCES FACT SHEET**





*Office of Enforcement and Compliance Assurance*  
**INFORMATION SHEET**

## **U. S. EPA Small Business Resources**

If you own a small business, the United States Environmental Protection Agency (EPA) offers a variety of compliance assistance and tools to assist you in complying with federal and state environmental laws. These resources can help you understand your environmental obligations, improve compliance and find cost-effective ways to comply through the use of pollution prevention and other innovative technologies.

### **Hotlines, Helplines and Clearinghouses**

EPA sponsors approximately 89 free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements.

**The National Environmental Compliance Assistance Clearinghouse** provides quick access to compliance assistance tools, contacts, and planned activities from the U.S. EPA, states, and other compliance assistance providers:  
[www.epa.gov/clearinghouse](http://www.epa.gov/clearinghouse)

**Pollution Prevention Clearinghouse**  
[www.epa.gov/opptintr/library/ppicindex.htm](http://www.epa.gov/opptintr/library/ppicindex.htm)

**EPA's Small Business Ombudsman Hotline** provides regulatory and technical assistance information.  
(800) 368-5888

**Emergency Planning and Community Right-To-Know Act**  
(800) 424-9346

**National Response Center** (to report oil and hazardous substance spills)  
(800) 424-8802

**Toxics Substances and Asbestos Information**  
(202) 554-1404

**Safe Drinking Water**  
(800) 426-4791

**Stratospheric Ozone Refrigerants Information**  
(800) 296-1996

**Clean Air Technology Center**  
(919) 541-0800

**Wetlands Helpline**  
(800) 832-7828

### **EPA Websites**

EPA has several Internet sites that provide useful compliance assistance information and materials for small businesses. If you don't have access to the Internet at your business, many public libraries provide access to the Internet at minimal or no cost.

**EPA's Home Page**  
[www.epa.gov](http://www.epa.gov)

**Small Business Assistance Program**  
[www.epa.gov/ttn/sbap](http://www.epa.gov/ttn/sbap)

**Compliance Assistance Home Page**  
[www.epa.gov/compliance/assistance](http://www.epa.gov/compliance/assistance)

**Office of Enforcement and Compliance Assurance**  
[www.epa.gov/compliance](http://www.epa.gov/compliance)

**Small Business Ombudsman**  
[www.epa.gov/sbo](http://www.epa.gov/sbo)

**Innovative Programs for Environmental Performance**  
[www.epa.gov/partners](http://www.epa.gov/partners)



## U.S. EPA SMALL BUSINESS RESOURCES

### Compliance Assistance Centers

In partnership with industry, universities, and other federal and state agencies, EPA has established Compliance Assistance Centers (Centers) that provide information targeted to industries with many small businesses. All Centers can be accessed at:  
<http://www.assistancecenters.net>

#### Metal Finishing

(1-800-AT-NMFRC or [www.nmfrc.org](http://www.nmfrc.org))

#### Printing

(1-888-USPNEAC or [www.pneac.org](http://www.pneac.org))

#### Automotive Service and Repair

(1-888-GRN-LINK or [www.ccar-greenlink.org](http://www.ccar-greenlink.org))

#### Agriculture

(1-888-663-2155 or [www.epa.gov/agriculture](http://www.epa.gov/agriculture))

#### Printed Wiring Board Manufacturing

(1-734-995-4911 or [www.pwbrc.org](http://www.pwbrc.org))

#### Chemical Industry

(1-800-672-6048 or [www.chemalliance.org](http://www.chemalliance.org))

#### Transportation Industry

(1-888-459-0656 or [www.transource.org](http://www.transource.org))

#### Paints and Coatings

(1-800-286-6372 or [www.paintcenter.org](http://www.paintcenter.org))

#### Construction Industry

([www.cicacenter.org](http://www.cicacenter.org))

#### Automotive Recycling Industry

([www.ecarcenter.org](http://www.ecarcenter.org))

#### US / Mexico Border Environmental Issues

([www.bordercenter.org](http://www.bordercenter.org))

### State Agencies

Many state agencies have established compliance assistance programs that provide on-site and other types of assistance. Contact your local state environmental agency for more information or call EPA's Small Business Ombudsman at (800)-368-5888 or visit the Small Business Environmental Homepage at <http://www.smallbiz-enviroweb.org>.

### Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two policies that potentially apply to small businesses: The Small Business Policy ([\[www.epa.gov/compliance/incentives/smallbusiness\]\(http://www.epa.gov/compliance/incentives/smallbusiness\)\) and Audit Policy \(<http://www.epa.gov/compliance/incentives/auditing>\).](http://</a></p></div><div data-bbox=)

### Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established an ombudsman ("SBREFA Ombudsman") and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The SBREFA Ombudsman will annually rate each agency's responsiveness to small businesses. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System (NAICS) designation, number of employees or annual receipts, defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community because the regulated community previously commented on its activities.

### Your Duty to Comply

If you receive compliance assistance or submit comments to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

*EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act (SBREFA) or related provisions.*

**ENCLOSURE 5**

**STAR LAKE CANAL SUPERFUND SITE  
PORT NECHES & GROVES, JEFFERSON COUNTY, TEXAS**

**PARTIES THAT PREVIOUSLY RECEIVED GENERAL AND/OR SPECIAL NOTICE**

**Special Notice Letter: December 17, 2002**

Chevron/Texaco, Inc.  
Calabrain Corporation (Chemall, Inc.)  
Ameripol Synpol Corporation  
Riverside Chemical Company  
H&R Chemicals, Inc.  
Huntsman Petrochemical Corporation  
IDACON, Inc. (formerly Sonford Chemical Company)  
Jefferson County Drainage District Number 7

**General Notice Letter: March 18, 2003**

Goodrich Corporation  
KMG-Bernuth, Inc.

**Special Notice Letter: September 15, 2014**

Goodrich Corporation  
Chevron Corporation  
Huntsman Petrochemical LLC  
Jefferson County Drainage District Number 7  
KMG-Bernuth, Inc.  
Michelin North America, Inc.  
Pfizer Inc.  
U.S. General Services Administration

**Special Notice Letter: January 6, 2015**

Bridgestone Americas Tire Operations, LLC  
Chevron Corporation  
Goodrich Corporation  
Huntsman Petrochemical LLC  
Jefferson County Drainage District Number 7  
KMG-Bernuth, Inc.  
Michelin North America, Inc.  
Pfizer Inc.  
U.S. General Services Administration

**ENCLOSURE 6**

**STAR LAKE CANAL SUPERFUND SITE  
PORT NECHES & GROVES, JEFFERSON COUNTY, TEXAS**

**PARTIES RECEIVING GENERAL NOTICE/104(E) LETTER**

BASF TOTAL Petrochemicals LLC  
C T Corporation System  
Registered Agent  
1999 Bryan Street, Suite 900  
Dallas, Texas 75201

cc: BASF TOTAL Petrochemicals LLC  
c/o Christopher Zaro  
100 Park Ave  
Florham Park, New Jersey 07932

BP America Inc.  
C T Corporation System  
Registered Agent  
1999 Bryan St., Ste. 900  
Dallas, TX 75201

cc: BP America Inc.  
Legal Department  
PO Box 940100  
Houston, Texas 77094-7100

TOTAL Petrochemicals & Refinery, USA, Inc.  
C T Corporation System  
Registered Agent  
1999 Bryan Street, Suite 900  
Dallas, Texas 75201

cc: TOTAL Petrochemicals & Refinery, USA, Inc.  
Legal Department  
1201 Louisiana Street, Suite 1800  
Houston, Texas 77002

# ROUTING AND APPROVAL FORM

Date

10/02/17

TO: (Name, office symbol, room number,  
building, Agency/Post)

Initials

Date

1. Ken Talton - 6SF-TE	KT	10/3/17
2. Lydia Johnson - 6SF-TE	LJ	10/12/17
3. Gary Miller - 6SF-RA	GM	10/16/17
4. Carlos Sanchez - 6SF-RA	CS	10/17/17
5. Dyiann Twine, Log in 6RC-S	DT	10/31/17
6. Ed Quinones - 6RC-S	EQ	10/31/17
7. <del>Mark Peycke - 6RC-S</del>	<del>MP</del>	10/30
8. Deborah Greenwell, Log in 6SF-T		
9. Ban Banipal - 6SF-T	BB	11/1/17
10. Deborah Greenwell, Log out 6SF-T		

<input type="checkbox"/> Action	<input type="checkbox"/> File	<input type="checkbox"/> Note and Return
<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> For Clearance	<input type="checkbox"/> Per Conversation
<input type="checkbox"/> As Requested	<input type="checkbox"/> For Correction	<input type="checkbox"/> Prepare Reply
<input checked="" type="checkbox"/> Circulate	<input type="checkbox"/> For Your Information	<input type="checkbox"/> See Me
<input type="checkbox"/> Comment	<input type="checkbox"/> Investigate	<input checked="" type="checkbox"/> Signature
<input type="checkbox"/> Coordination	<input type="checkbox"/> Justify	

REMARKS

Combo Gen Notice/104(e) letters to 3 PRPs - Star Lake Canal Superfund Site.

[Mailing on hold, pending management approval]

FROM: (Name, org. symbol, Agency/Post)

Lance Nixon

Room No. - Bldg.

10.110

Phone No.

(214) 665-2203

ORD OF - 41

(Rev. 5-14) (WebForms v3.7)



**GENERAL NOTICE LETTER/104(e) REQUEST**  
**URGENT LEGAL MATTER, PROMPT REPLY NECESSARY**  
**CERTIFIED MAIL, RETURN RECEIPT REQUESTED #7014 0150 0000 2454 1028**

BASF TOTAL Petrochemicals LLC  
C T Corporation System  
Registered Agent  
1999 Bryan Street, Suite 900  
Dallas, Texas 75201

Re: Star Lake Canal Superfund Site located in and around the cities of Port Neches and Groves, Jefferson County, Texas; General Notice Letter and CERCLIS #: TX0001414341; Information Request Pursuant to CERCLA Section 104(e), 42 U.S.C. §9604(e), Information Request

Dear Sir or Madam:

The purpose of this letter is threefold, the first purpose is to notify BASF TOTAL Petrochemicals LLC (hereinafter BASF TOTAL Petrochemicals LLC is referred to as "Respondent," "you" or "your") of its potential liability at the Star Lake Canal Superfund Site (Site) located in and around the cities of Port Neches and Groves, Jefferson County, Texas. The second purpose of this letter is to inform you of an existing group of potentially responsible parties (PRPs) that have entered into a settlement agreement with the U.S. Environmental Protection Agency (EPA) to develop a detailed plan for implementation of the Remedial Action selected in EPA's September 30, 2013, Record of Decision (ROD). The third purpose of this letter is to seek your cooperation in providing information and documents relating to the contamination of the Site. (Enclosure 1) Our records indicate that hazardous substances originating from Respondent's property in Jefferson County, Texas may have been released onto the Molasses Bayou Wetland and/or the Molasses Bayou Waterway in Jefferson County, Texas. The Molasses Bayou Wetland and the Molasses Bayou Waterway are two areas of interest (AOI) both being parts of the Site. (Enclosure 2)

**BACKGROUND INFORMATION**

Star Lake Canal Superfund Site (Site) is located in and around the cities of Port Neches and Groves, Jefferson County, Texas (Map & Aerial Photo, Enclosure 3). The Site includes two industrial canals (Star Lake Canal and Jefferson Canal) and an adjacent wetland area (Molasses Bayou).

The Site is comprised of seven areas of interest (AOI) within or abutting the lengths of two industrial canals from their origins to the confluence of Star Lake Canal with the Neches River and the adjacent wetland area: The Star Lake Canal AOI, the Jefferson Canal AOI, the former Star Lake AOI, the Jefferson Canal Spoil Pile AOI, the Gulf States Utility Canal AOI, the Molasses Bayou Waterway AOI, and the Molasses Bayou Wetland AOI.

Star Lake Canal GNL104e LETTER

Talton 6SF-TE 10/3/17	Johnson 6SF-TE 10/12/17	Miller 6SF-RA 10/16/17	Sanchez 6SF-RA 10/17/17	Quinones 6RC-S 10/3/17	Peycke 6RC-S 10/12/17	Banipal 6SF-T 11/1/17
-----------------------------	-------------------------------	------------------------------	-------------------------------	------------------------------	-----------------------------	-----------------------------



**GENERAL NOTICE LETTER/104(e) REQUEST**  
**URGENT LEGAL MATTER, PROMPT REPLY NECESSARY**  
**CERTIFIED MAIL, RETURN RECEIPT REQUESTED #7014 0150 0000 2454 1042**

BP America Inc.  
C T Corporation System  
Registered Agent  
1999 Bryan St., Ste. 900  
Dallas, TX 75201

Re: Star Lake Canal Superfund Site located in and around the cities of Port Neches and Groves, Jefferson County, Texas; General Notice Letter and CERCLIS #: TX0001414341; Information Request Pursuant to CERCLA Section 104(e), 42 U.S.C. §9604(e), Information Request

Dear Sir or Madam:

The purpose of this letter is threefold. The first purpose is to notify BP America Inc., (hereinafter BP America Inc., is referred to as "Respondent," "you" or "your") of its potential liability at the Star Lake Canal Superfund Site (Site) located in and around the cities of Port Neches and Groves, Jefferson County, Texas. The second purpose of this letter is to inform you of an existing group of potentially responsible parties (PRPs) that have entered into a settlement agreement with the U.S. Environmental Protection Agency (EPA) to develop a detailed plan for implementation of the Remedial Action selected in EPA's September 30, 2013, Record of Decision (ROD). The third purpose of this letter is to seek your cooperation in providing information and documents relating to the contamination of the Site. (Enclosure 1) Our records indicate that hazardous substances originating from Respondent's property in Jefferson County, Texas may have been released onto the Molasses Bayou Wetland and/or the Molasses Bayou Waterway in Jefferson County, Texas. The Molasses Bayou Wetland and the Molasses Bayou Waterway are two areas of interest (AOI) both being parts of the Site. (Enclosure 2)

**BACKGROUND INFORMATION**

Star Lake Canal Superfund Site (Site) is located in and around the cities of Port Neches and Groves, Jefferson County, Texas (Map & Aerial Photo, Enclosure 3). The Site includes two industrial canals (Star Lake Canal and Jefferson Canal) and an adjacent wetland area (Molasses Bayou).

The Site is comprised of seven areas of interest (AOI) within or abutting the lengths of two industrial canals from their origins to the confluence of Star Lake Canal with the Neches River and the adjacent wetland area: The Star Lake Canal AOI, the Jefferson Canal AOI, the former Star Lake AOI, the Jefferson Canal Spoil Pile AOI, the Gulf States Utility Canal AOI, the Molasses Bayou Waterway AOI, and the Molasses Bayou Wetland AOI.

Star Lake Canal GNL104e LETTER

Talton 6SF-TE	Johnson 6SF-TE	Miller 6SF-RA	Sanchez 6SF-RA	Quinones 6RC-S	Peycke 6RC-S	Banipal 6SF-TE
<i>[Signature]</i> 10/31/17	<i>[Signature]</i> 10/12/17	<i>[Signature]</i> 10/18/17	<i>[Signature]</i> 10/17/17	<i>[Signature]</i> 10/31/17	<i>[Signature]</i> 10/30/17	<i>[Signature]</i> 11/1/17



**GENERAL NOTICE LETTER/104(e) REQUEST**  
**URGENT LEGAL MATTER, PROMPT REPLY NECESSARY**  
**CERTIFIED MAIL, RETURN RECEIPT REQUESTED #7014 0150 0000 2454 1035**

TOTAL Petrochemicals & Refinery, USA, Inc.  
C T Corporation System  
Registered Agent  
1999 Bryan Street, Suite 900  
Dallas, Texas 75201

Re: Star Lake Canal Superfund Site located in and around the cities of Port Neches and Groves, Jefferson County, Texas; General Notice Letter and CERCLIS #: TX0001414341; Information Request Pursuant to CERCLA Section 104(e), 42 U.S.C. §9604(e), Information Request

Dear Sir or Madam:

The purpose of this letter is threefold. The first purpose is to notify TOTAL Petrochemicals & Refinery, USA, Inc., (hereinafter TOTAL Petrochemicals & Refinery, USA, Inc., is referred to as "Respondent," "you" or "your") of its potential liability at the Star Lake Canal Superfund Site (Site) located in and around the cities of Port Neches and Groves, Jefferson County, Texas. The second purpose of this letter is to inform you of an existing group of potentially responsible parties (PRPs) that have entered into a settlement agreement with the U.S. Environmental Protection Agency (EPA) to develop a detailed plan for implementation of the Remedial Action selected in EPA's September 30, 2013, Record of Decision (ROD). The third purpose of this letter is to seek your cooperation in providing information and documents relating to the contamination of the Site. (Enclosure 1) Our records indicate that hazardous substances originating from Respondent's property in Jefferson County, Texas may have been released onto the Molasses Bayou Wetland and/or the Molasses Bayou Waterway in Jefferson County, Texas. The Molasses Bayou Wetland and the Molasses Bayou Waterway are two areas of interest (AOI) both being parts of the Site. (Enclosure 2)

**BACKGROUND INFORMATION**

Star Lake Canal Superfund Site (Site) is located in and around the cities of Port Neches and Groves, Jefferson County, Texas (Map & Aerial Photo, Enclosure 3). The Site includes two industrial canals (Star Lake Canal and Jefferson Canal) and an adjacent wetland area (Molasses Bayou).

The Site is comprised of seven areas of interest (AOI) within or abutting the lengths of two industrial canals from their origins to the confluence of Star Lake Canal with the Neches River and the adjacent wetland area: The Star Lake Canal AOI, the Jefferson Canal AOI, the former Star Lake AOI, the Jefferson Canal Spoil Pile AOI, the Gulf States Utility Canal AOI, the Molasses Bayou Waterway AOI, and the Molasses Bayou Wetland AOI.

Star Lake Canal GNL104e LETTER

Talton 6SF-TE 10/13/17	Johnson 6SF-TE 10/12/17	Miller 6SF-RA 10/16/17	Sanchez 6SF-RA 10/17/17	Quinones 6RC-S 10/31/17	Peycke 6RC-S 10/20/17	Banipal 68R-T 11/1/17
------------------------------	-------------------------------	------------------------------	-------------------------------	-------------------------------	-----------------------------	-----------------------------